

The power conferred upon M. Witte to negotiate and conclude a treaty of peace, is absolute.

Japan's credentials, on the contrary, specifically provide that any treaty negotiated by Baron Komura must be subject to the final ratification of the Emperor of Japan.

This divergence in the character of the credentials is so vital that M. Witte has communicated to Baron Komura an official diplomatic note, in which he has pointed out the discrepancy. He has also pointed out that while he stands ready to exercise the full powers conferred upon him, he considers his powers limited in the same way. In other words, unless the powers of Baron Komura are increased and made equal with those conferred upon M. Witte, Emperor Nicholas will have the right to refuse to ratify any treaty that is negotiated.

## ENVOYS ATTACKED BY MOSQUITOES

Intolerable Heat Afflicts Plenipotentiaries at Portsmouth.

Witte Suffers Much.

(By Associated Press.)

PORTSMOUTH, N. H., August 11.—Millions of mosquitoes and intolerable heat confront the plenipotentiaries of Russia and Japan and their suites. Throughout the entire day there has been no relief from the heat and humidity. Just at dark a stifling, warm rain set in. Its only effect was to drive swarms of mosquitoes into the hotel.

No one has felt the heat more than M. Witte. He is a heavy man of large stature and not accustomed to extreme climatic conditions of summer. He worked in his rooms throughout the day in negligee costume, and every moment was drenched with perspiration. When the final revision of the French and English texts of the Russian reply to the Japanese terms had been concluded, Baron Shiro entered the hotel and was shortly after four o'clock, and were then entered there two hours along the off for a spin nearly two hours along the shore roads. This was the only recreation for the Russians, and the Japanese plenipotentiaries did not indulge themselves even to the extent of a drive.

## NOT EXCESSIVE ENGLAND THINKS

Japanese Terms Declared to Be Not Sensibly Reducible in the Main Points.

(By Associated Press.)

LONDON, August 11.—The Japanese peace terms, exclusively given in the Portsmouth dispatches of the Associated Press, are not considered excessive by the British government, nor as being sensibly reducible in the main points.

## KING EXPRESSED HOPE FOR PEACE

English Parliament Prorogued Yesterday After Very Remarkable Session.

(By Associated Press.)

LONDON, August 11.—Parliament was prorogued to-day, after a chequered session, which was largely characterized by the unprecedented number of votes of censure and motions for adjournment moved, with a view to the embarrassment of the government.

The King's speech made this reference to the peace negotiations: "Negotiations due to the initiative of the President of the United States are about to be entered upon between the Russian and Japanese governments. The purpose of terminating the deplorable conflict still proceeding in the Far East. It is my earnest hope that they may lead to a lasting and mutually honorable peace."

## Russians Surrendered.

TOKIO, August 11.—Admiral Kato reports that the Russian fleet, after a Russian force which was holding the southeastern coast light twenty miles east of Korsakoff. The naval force, four armed boats, attacked the Russians on the morning of August 10th, the army making a simultaneous attack from the eastward. After a bombardment lasting two hours, the Russians surrendered. The prisoners numbered 125.

## FLORIDA MAN SHOT AND HEART TORN OUT

JACKSONVILLE, FLA., August 11.—Samuel Simmons, a wealthy naval store and saw-mill man, and son, Ely, Sr. and Jr., were both shot and killed about fifteen miles from here to-day by Thomas T. Isler, who enters the plea of self-defense. The bodies of father and son were found in the pine woods near the road. The bodies were found by a shot through the heart by a full charge of buckshot, and the heart was found on the ground about a foot from the body, apparently having been torn out by hand after the shooting. There were no wounds in the body of Ely Simmons. He was also shot in the back with a charge of bird shot.

## MARTIN IN WISE. Speaks in Federal Court-Room at Big Stone Gap.

(Special to The Times-Dispatch.) BIG STONE GAP, VA., August 11.—Senator Martin spoke here last night in the Federal court-room at a comfortably filled house. The capacity of the hall would have been taxed but for heavy rains. He was introduced by R. Tate Irvine, who referred to Senator Martin's service in procuring the Federal court for Big Stone Gap. The speaker for an hour and a half held the close attention of his audience, and was often applauded. He followed the line of his speeches as reported at other points in the state. He goes from here to Grayson county.

## Chicago Golf.

(By Associated Press.) CHICAGO, August 11.—A day of exceptionally hot golf in the eleventh annual tournament, Champion H. Chandler Egan and D. R. Sawyer, both Chicagoans, survive to play the finals over 36 holes at the Wheaton Links tomorrow.

## The Game Postponed.

(Special to The Times-Dispatch.) CHARLOTTE, N. C., August 11.—The double-header schedule between Charlotte and Greensboro has been postponed because of wet grounds.

## GO ON THE TRILBY

TO NORFOLK, OCEAN VIEW AND VA. BEACH TOMORROW.



## THE HOT WAVE

DON'T GET RUFFLED.

There are no ruffles on our suits; thin, lined and cool; in light flannel, blue serge and loose woven homespun, \$7.50 up.

Cobweb underwear—low collars—creased scarfs—beglaze shirts without starch and open-work hose.

\$1.00 NEGLIGEE AT 50c.

We've aggregated the remaining great \$1.00 Negligee Shirts, and your pick may be had beginning this morning at only 50c.

ON BERNARD

PHYSICAL VIOLENCE NARROWLY AVERTED

Stormy Session of International Brotherhood of Teamsters in Philadelphia.

(By Associated Press.) PHILADELPHIA, Aug. 11.—The session this afternoon of the International Brotherhood of Teamsters was the stormiest in the history of the union. Physical violence was several times averted, and the convention was adjourned until tomorrow.

The disorder was the result of a motion to endorse the Chicago strike. As soon as the motion was made, the hall began shouting and shook their fists at one another.

President Shea was accused of misconducting the strike and also of incompetency. His friends came to his rescue, and then the delegates charged each other with bad faith.

"Car" and "Flier" were among the epithets used.

President Shea was accused of violating the constitution in calling the strike and also of incompetency. His friends came to his rescue, and then the delegates charged each other with bad faith.

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## SENSATIONAL END OF GRAND JURY'S LABORS

(Continued From First Page.)

not be located. Syrele was reported to be in Newport News, but Commonwealth's Attorney Richardson had endeavored in vain to locate him by inquiry of officers there.

## "SLAP IN THE FACE," SAYS JUROR CURTIS

"Venomous, Unjust, Unmanly," is His Description of the Baughman Report.

Captain John A. Curtis, one of the grand jurors who investigated the late primary, was seen last night at his residence and asked to tell something about the minority report offered the Hustings Court by Juror Baughman and signed by him, Juror Clarke and Juror Lathrop.

Captain Curtis gave the following history of the Baughman report:

"We eight jurors had sat eleven days and had been made more like a court than a jury, because we had heard evidence on both sides and gone thoroughly into the case. There had been some differences of opinion amongst the jurors, but none of any moment. After we had heard the case, Foreman Taylor wrote his report, and we all discussed it, adding a word here and there, and in some instances, a whole clause.

"We then voted upon the report and it was unanimously adopted. Messrs. Baughman and Clarke and Lathrop voting for it.

"When we went into the court room and after Foreman Taylor had presented our report to the court, Mr. Baughman arose and endeavored to present his report, which Jurors Clarke and Lathrop had also signed. I was never so astounded in my life. I was so mad that I jumped to my feet and addressed the whole matter to the judge. He had not stopped me. The report of Mr. Baughman was a farce and we had laughed it out of court when he read it to us in the jury room.

"It was no less than a rebuke to the rest of the five jurors, who did not sign it. It was a rebuke to the whole jury, and we intended to make all of us do full flat. It displayed the venom of the three jurors—Messrs. Baughman, Clarke and Lathrop—along the whole line of the investigation.

"The Times-Dispatch man, then asked the following questions, to which Captain Curtis replied:

"Why did you object to the Baughman report presented to the court?"

"Because he had voted for the report we handed in, which was unanimous."

"What was in the Baughman report?"

"I cannot tell you that. The report of Mr. Baughman was read to the grand jury in the jury room with the distinct statement made by Mr. Baughman that it was merely a paper to be read as his views. There was to be no argument or comment on the report. It was his idea of the report that he thought we should present to the court."

"Was there anything in the Baughman report that the other report did not touch upon?"

"Yes, it was a general condemnation of certain individuals or gentlemen or politicians of the city. That is all I can tell you, because the judge would not let it be read."

"Did it condemn any parties that the other report did not condemn?"

"Certainly it did. That was the purpose of his paper."

"Were the people he condemned prominent politicians?"

"Yes. That is what I have just said."

"Can you tell me their names?"

"No, I cannot tell you that. I am not in the holding office at this time."

"No, not all of them. Some are—I may say all of them are."

"Were any of them elected or re-elected at the last primary?"

"Yes. Some of them—some were appointees of Judge Witt."

"Was Mr. J. C. Smith one of them?"

"I cannot answer that question. I cannot remember all of the Baughman report, which was fine typewritten pages, long."

"You might say, 'No' to that last question."

"How many were condemned by the Baughman report?"

"I cannot tell you that. We were utterly and absolutely astounded when Mr. Baughman presented his report after he had voted for the report of the grand jury. We considered it a slap in the face, and an affront to the grand jury."

"Can you tell me the nature of the charges made in the Baughman report?"

"I can, but I must not. They were of a general character."

"Were any of those who were indicted by the grand jury mentioned in the Baughman report?"

"Some of them were, but I cannot tell you which ones."

"Was the vote upon the indictments unanimous?"

"I cannot tell you that. That is all I can in fairness say."

SOUTHERN TENNIS.

Fight for Championship Has Narrowed to Rodgers and Smith.

(By Associated Press.) ATLANTA, GA., August 11.—After a day of play in the South Atlantic Tennis Tournament, the fight in the championship for singles has narrowed down to Cowan Rodgers, of Knoxville, and Carlton Smith, of Atlanta. In the set-to-be between these two players to-day, Rodgers won two out of three sets. The match will be finished to-morrow.

In the doubles, it has narrowed down to-night between Rodgers brothers, of Knoxville, and Elliott and Post, of New Orleans. This match will be played to-morrow, and Thornton and Grant, of Atlanta, will be called upon to defend the cup against the winners.

## TWO PRECINCTS WERE CORRUPT

Grand Jury Believes Primary, With These Exceptions, Was Honest.

Besides the seven indictments yesterday, the jury in its report characterized the elections in Second and Third Monroe as corrupt and fraudulent. It expressed the belief that the elections in the other precincts were honestly conducted. The report also calls attention to the violation of one of the provisions of the party primary plan by the secretary of the City Democratic Committee, in his failure to take the oath as printer of the ballots.

There was evidence of irregularities in the appointment of election officers, but with the laxity of the laws on this subject the prevention of fraud is a matter of much difficulty, says the report.

The jury in its report further states that the City Central Committee is responsible for the appointment of election officers, and that they were not sufficiently cautious in selecting some of them. It is added, however, that all the election officers indicted, except Culbertson, were appointed by the Electoral Board, and are now holding positions as judges in the regular election. The grand jury recommends the removal of these indicted officers at once.

Appended to this report, or accompanying it, is a comparison of the votes returned by the election officers in every precinct of the city, and that shown by the partial poll of the jury. The jury poll embraced about 75 per cent. of the entire vote cast in the primary. In some precincts the percentage is much greater than this, but in others it is less.

It was no less than a rebuke to the rest of the five jurors, who did not sign it. It was a rebuke to the whole jury, and we intended to make all of us do full flat. It displayed the venom of the three jurors—Messrs. Baughman, Clarke and Lathrop—along the whole line of the investigation.

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While the duties of the jury have been materially lightened by the kind consideration shown to us by the Honorable Judge of the Court and the officers connected with it. We are, however, constrained to express that our work required a patriotic spirit of the voters, which exhibited itself in a most commendable willingness to respond to the requirements of the jury.

Of 8,901 sworn voters, only thirty-nine declined to disclose their votes.

We cannot close this report without a recognition of the invaluable services of the stenographer, Mr. John G. Winston, whose skill in his profession, patience and courtesy made him a most admirable co-operator in our labors.

CHAS. F. TAYLOR, Foreman.

To the Hon. Samuel B. Witt, Judge of the Hustings Court of the City of Richmond:

The special grand jury convened by the court have followed the able instructions delivered to them, and with all the speed consistent with accuracy and thoroughness, have, to the best of their ability, conducted the investigation entrusted to them.

Information lodged with the grand jury led us to believe that if any fraud had been perpetrated in the recent primary election, it was in connection with the offices of Commonwealth's Attorney and City Sergeant, and we, therefore, pursued our inquiries along this line. For the verification of the election returns, we found that it was necessary to poll, as far as was practicable, the vote of the entire city, and thus, by comparison of such poll with the returns made by the election officers, we have been enabled to ascertain to what extent the election was fairly conducted. We submit with this report a tabulated statement of the vote as returned by the election officers and the sworn vote taken by the jury.

We were confronted with evidence of irregularities in the appointment of election officers. At the same time, the law governing elections is so lax in certain particulars that the prevention of fraud is a matter of great difficulty. Every possible precaution against fraud should, therefore, be taken. If the officers who conduct the election are dishonest men, the election will be fraudulent.

We find that one of the most important provisions of the primary act was violated by the secretary of the City Democratic Committee, who was named printer and contractor for the printing of the ballots, in that he failed to take the oath, as prescribed by section 4 of said plan.

We find that the City Central Committee is responsible for the appointment of election officers, and that they were not sufficiently cautious in selecting some of them. It is added, however, that all the election officers indicted, except Culbertson, were appointed by the Electoral Board, and are now holding positions as judges in the regular election. The grand jury recommends the removal of these indicted officers at once.

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